

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CLYDE WENDELL SMITH

PLAINTIFF

v.

NO. 4:07CV43-P-S

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated December 17, 2009, and the January 4, 2010, objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated December 17, 2009, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That all of the plaintiff's claims in the instant case are **DISMISSED** with prejudice.
3. That this case is **CLOSED**.

THIS, the 2nd day of February, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE